



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

US
4563
2.5

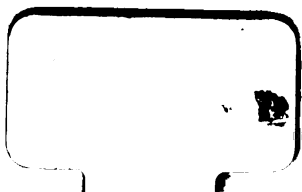


3 2044 010 481 489

U.S. 4563.2.5-



HARVARD
COLLEGE
LIBRARY



Chipman, Daniel

⊙

LIFE OF
COL. SETH WARNER,
BY
DANIEL CHIPMAN, LL. D.

©

THE

Abutler

LIFE

OF

COL. SETH WARNER,

WITH AN ACCOUNT OF
THE CONTROVERSY BETWEEN
NEW YORK AND VERMONT

FROM 1763 TO 1775.

BY

DANIEL CHIPMAN, LL. D.

BURLINGTON:
C. GOODRICH & COMPANY.
1858.

(100)

~~7334.1~~

US 4563.2:5

1867, Aug. 26

By exchange of duplicate

PREFACE.

SEVERAL years since, I observed that great injustice had been done to the character of Seth Warner, by certain unintentional errors in existing history. I observed also that historians had omitted to state his services so fully as to enable the reader duly to appreciate his merits, and feeling a strong desire to correct those errors, supply those omissions, and transmit his character to posterity in its true light, I undertook to collect materials for a memoir of Seth Warner, but I was so unsuccessful, that I was compelled to abandon the object. Although I knew Warner, personally, only as a boy knows a man, yet, from those who were both his and my contemporaries, I had a full knowledge of the man, but I could not think it either useful or proper to portray his character, on my own authority, unsupported by evidence.

Within the year past I have been more successful in procuring materials for the memoir. I have obtained a short biographical sketch of Seth Warner, published in the Rural Magazine in 1795, and I have been furnished by Henry Stevens, Esq., from his extensive collection of papers relating to our early history, with Warner's correspondence, and many public documents, without which, I should not have undertaken to write the memoir. As Warner was a principal leader of the Green Mountain Boys, during their controversy with New York, and was constantly engaged in the

defence of the New Hampshire Grants, from the year 1763 to 1775, it was necessary to insert an abridged history of the controversy. This is principally taken from Thompson's History of Vermont. Those who are intimately acquainted with this history, will pass it without reading, but it may be both interesting and useful to the rising generation—it may create a taste for reading a more full history of their native state.—And may they be still further improved by the contemplation of the character of a noble revolutionary patriot—may it enlarge their views and elevate them to a love of country not to be displaced by a love of party, which, often, so narrows the mind as to render it incapable of embracing the general interest.



SETH WARNER.

THE history of any people in defence of their rights against a more powerful assailant, is ever interesting, the more so, if, not only their independence as a people, but the farms on which they lived were at stake. We are still more deeply interested in the struggle, if those farms had been rendered more dear to them by the hardships and privations which they had endured as pioneers in the settlement of a new country. Such is the history of the New Hampshire Grants—the only history of Vermont, and all are anxious to obtain a knowledge of the leading men, to whom we are most indebted for the successful defence of the N. H. Grants, and the establishment of the independent government of Vermont.

It has never been a matter of controversy, but all who have a competent knowledge of those early times are agreed that ETHAN ALLEN and SETH WARNER, were, to say the least, among the most efficient leaders of the Green Mountain Boys.

In the first volume of Sparks' American Biography is a memoir of Ethan Allen,* from which the reader may obtain as competent a knowledge of the man as he can desire—he will find his character with all his eccentricities, clearly, truly and fully portrayed. The character of Seth Warner, to whom we are so deeply indebted for the independence of Vermont, and who was so distinguished an officer in the war of the revolution should also pass down to future generations in its true light. To effect this, I shall portray his character as fully as the scanty materials which can be obtained at this late day, and my own recollection of the men of those early times will admit.

SETH WARNER was born in Roxbury, then a parish of Woodbury, in Connecticut, in the year 1743. Without any advantages for an education beyond those which were found in the common schools of those times, he was early distinguished by his energy, sound judgment, and manly and noble bearing. In the year 1763, his father, Dr. Benjamin Warner, removed to Bennington, in the New Hampshire Grants, the second year after the first settlement of the town. The game with which the woods abounded

* By permission of the Author, this memoir is incorporated into the present volume.

that once attracted the attention of young Warner, and he was soon distinguished as an indefatigable, expert, and successful hunter. About this time a scene began to open, which gave a new direction to the active and enterprising spirit of Warner—the controversy between New York and the settlers upon the New Hampshire Grants had commenced. To enable the reader duly to estimate the services and merits of Warner, in his defence of the N. H. Grants against the claims of New York, it seems necessary to give a concise history of the rise and progress of that controversy.

When the English commenced their establishment at Fort Dummer, within the present limits of Brattleboro', that fort was supposed to be within the limits of Massachusetts, and the settlement in that vicinity was made under grants from that Province. But after a long and tedious controversy between Massachusetts and New Hampshire, respecting their division line, George II. finally decided, on the 5th of March, 1740, that the northern boundary of Massachusetts be a similar curve line, pursuing the course of Merrimack river, at three miles, on the north side thereof, beginning at the Atlantic Ocean and ending at a point due north of Patucket Falls, and a straight line from thence

due west until it strikes his Majesty's other governments. This line was run in 1741, when Fort Dummer was found to be beyond the limits of Massachusetts, to the north, and as the King repeatedly recommended to the Assembly of New Hampshire to make provision for its support, it was generally believed to have fallen within the jurisdiction of that Province, and being situated on the west side of Connecticut River, it was concluded that New Hampshire extended as far west as Massachusetts, that is, to a line twenty miles east of Hudson River. In the year 1741, Benning Wentworth was commissioned Governor of New Hampshire, and on the 3d of January, 1749, he made a grant of a township six miles square, situated, as he conceived, on the western border of New Hampshire, being twenty miles east of Hudson River, and six miles north of the Massachusetts line. This township, in allusion to his own name, he called Bennington. About the same time, a correspondence was opened between him and the Governor of New York, in which was urged their respective titles to the lands on the west side of the Connecticut River, yet, without regard to these conflicting claims, Wentworth proceeded to make further grants.

In 1754, these grants amounted to fifteen townships, but this year hostilities commenced between the French and English Colonies, which put a stop to further applications for grants, until the close of the war in 1760. During the war, the New England troops opened a road from Charleston, N. H., to Crown Point, and by frequently passing through these lands, became well acquainted with their fertility and value, and the conquest of Canada having removed the danger of settling in this part of the country, these lands were eagerly sought by adventurers and speculators. The Governor of New Hampshire, by advice of his council, now ordered a survey of Connecticut river to be made for sixty miles, and three tiers of townships to be laid out on each side.

As applications for land still increased, further surveys were ordered to be made, and so numerous were the applications, that during the year 1761 no less than sixty townships were granted on the west side of Connecticut River. The whole number of townships, in one or two years more, amounted to 138. The extent was from Connecticut River on the east, to a line twenty miles east of Hudson river, so far as that river runs from the north, and north of that as far west as Lake Champlain. By the fees which

Wentworth received for these grants, and by reserving 500 acres in each township for himself, he was evidently accumulating a large fortune.

The Governor of New York, wishing to have these lands, became alarmed at the proceedings of the Governor of New Hampshire and determined to check them. For this purpose, Mr. Colden, Lieut. Gov. of New York, on the 28th December, 1763, issued a proclamation in which he recited the grants made by Charles II. to the Duke of York in 1664 and 1674, which included among other parts all the lands from the west bank of the Connecticut River to the east side of Delaware Bay. Founding his claim upon the grants, he ordered the sheriff of the County of Albany to make return of the names of all persons who had taken possession of lands on the west side of Connecticut river under titles derived from the Governor of New Hampshire. To prevent the effects which this proclamation was calculated to produce, and to inspire confidence in the validity of the New Hampshire grants, the Governor of New Hampshire issued a counter proclamation on the 13th day of March, 1764, in which he declared that the grants to the Duke of York were obsolete--

that New Hampshire extended as far west as Massachusetts and Connecticut, and that the grants of New Hampshire would be confirmed by the Crown, if the jurisdiction should be altered. He exhorted the settlers to be industrious and diligent in cultivating their lands, and not to be intimidated by the threatenings of New York. He required all the civil officers to exercise jurisdiction as far as grants had been made, and to punish all disturbers of the peace. This proclamation seemed to quiet the minds of the settlers. Having purchased their lands, and holding them under a charter from a Royal Governor, and after such assurances from him, they had no idea that a controversy between the two Governors respecting their jurisdiction would ever affect the validity of their titles.

New York had heretofore founded her claims to the lands in question upon the grants to the Duke of York, but choosing no longer to rely on so precarious a title, application was now made to the Crown for a confirmation of the claim. This application was supported by a petition purporting to be signed by a great number of the settlers of the New Hampshire Grants, representing that it would be for their advantage to be annexed to the Colony of New York,

and praying that the western bank of the Connecticut river might be established as the Eastern boundary of the province. In consequence of this petition and application of the Government of New York, his Majesty on the 20th of July, 1764, ordered that the Western bank of the Connecticut river, from where it enters the province of Massachusetts, as far north as the 45th degree of north latitude, be the boundary line between the provinces of New York and New Hampshire. This determination does not appear to be founded on any previous grant, but was a decision which the wishes and convenience of the people seemed to demand. Surprised as were the settlers on the New Hampshire Grants at this order, it produced no serious alarm. They regarded it merely as extending the jurisdiction of New York over their territory. To that jurisdiction, they were willing to submit, and they had no apprehension that it would in any way affect their titles to the lands on which they lived. Having purchased and paid for them, and holding deeds of the same under grants from the Crown, they could not conceive by what perversion of justice, they could be compelled by the same authority to repurchase their lands or abandon them.

The Governor of New Hampshire at first remonstrated against the change of jurisdiction, but was induced to abandon the contest, and issued a proclamation recommending to the proprietors and settlers due obedience to the authority and laws of New York. The royal decree by which the division line between New Hampshire and New York was established, was construed very differently by the different parties concerned. The settlers on the N. H. Grants considered that it only placed them thereafter under the jurisdiction of New York, and to this they were willing to submit, but they had no idea that the titles of their lands could be affected by it. Had the Government of New York given the Royal decree the same interpretation, no controversy would have arisen. The settlers would have acknowledged the jurisdiction of New York without a murmur. But that Government gave to the decision a very different construction—that the order had a retrospective operation, that it decided, not only what should hereafter be, but what had always been the eastern boundary of New York, and consequently, the grants made by New Hampshire were illegal and void. With these views, the Government of New York proceeded to extend its

jurisdiction over the New Hampshire Grants. The settlers were called upon to surrender their charters and repurchase their lands under charters from New York. The settlers on the east side of the Mountain, under the grants from New Hampshire, generally complied with this order, but all the settlers on the west side of the Mountain peremptorily refused, and the lands of those who did not comply with the order were granted to others, in whose names actions of ejectment were commenced before the courts in Albany, and judgments invariably obtained against the settlers.

Finding they had nothing to hope from the ordinary forms of law they determined upon resistance to the arbitrary and unjust decisions of the courts until his Majesty's pleasure should be further known, and when the executive officers came to eject the settlers from their possessions, they were not permitted to execute their process.

For the purpose of rendering their resistance more effectual, various associations were formed among the settlers, and at length a convention of representatives from the several towns on the west side of the Mountain was called. This convention met in the autumn of 1766, and after mature de-

liberation, they appointed Samuel Robinson, of Bennington, an agent to represent to the Court of Great Britain the grievances of the settlers, and to obtain, if possible, a confirmation of the New Hampshire Grants. On the 3d of July, 1766, the Colonial Assembly of New York had passed an act erecting a portion of the territory covered by the New Hampshire Grants into a county by the name of Cumberland, and made provision for building therein a Court House and Jail, to be located at Chester, but in consequence of the representations made by Mr. Robinson at the British Court, his Majesty was pleased to make an order annulling this act of the Colonial Legislature, and on the 14th of July following, another special order was obtained prohibiting the Governor of New York upon pain of his Majesty's highest displeasure, from making any further grants whatever of the lands in question, until his Majesty's further pleasure should be known concerning the same. But before Mr. Robinson had fully accomplished the business of his mission, he was so unfortunate as to take the Small Pox, of which disorder he died in London, in October, 1767.

Notwithstanding the annulling of the act of the Colonial Legislature, above mentioned, and the prohibitions contained in the order.

of the 24th of July, the Government of New York continued to make grants, and proceeded in carrying out their design of dividing the territory into counties.

They had already established a Court of Common Pleas, and appointed Judges in the county of Cumberland after they had official notice of the annulling of the act by which that county was established. The county of Cumberland extended as far north as the north lines of the towns of Tunbridge, Stratford and Thetford. All the territory north of this, on the east side of the Mountain, was erected into a county by the name of Gloucester. A Court House and Jail were erected in Newbury, for the county of Gloucester, and in Westminster for the county of Cumberland. Courts were holden, and justice regularly administered, in both of these counties, under the authority of New York, until the commencement of the Revolutionary War.

The Southern part of the grants on the west side of the Mountain was annexed to the county of Albany and the northern part to the county of Charlotte, but in this western part of the grants, the settlers were careful to keep the administration of justice in their own hands.

In the year 1769, the Council of New York

decided that the King's order did not extend to prevent the Governor from granting any lands which had not been previously granted by New Hampshire, the Governor had therefore continued to make grants to his favorites and friends, nor did he confine his grants, agreeably to the decision of the Council, to the ungranted lands, but in many cases re-granted such as were already covered by New Hampshire charters.

But while the success of Mr. Robinson's mission hardly served as a temporary check upon the proceedings of New York, it inspired the settlers on the Grants with new confidence in the justice of their cause, and gave them strong ground to hope that their rights would be eventually acknowledged and protected by the Crown.

In the mean time, the Government of New York continued to make grants, and the grantees continued to bring actions of ejectment against the settlers, before the court at Albany. Ethan Allen, afterwards so distinguished, coming to reside in the Grants about this time, undertook to defend the grantees in the actions brought against them. He proceeded to New Hampshire, procured the necessary documents from the Secretary's office, employed Mr. Ingersoll, an eminent lawyer in Connecticut, and in

June, 1770, appeared before the court in Albany. An action of ejectment against Josiah Carpenter, of Shaftsbury, came on for trial, and the defendant's counsel offered in evidence the documents above mentioned, among which was the charter of the township, and a deed of the land in question from the original proprietor to the defendant. This evidence was rejected by the court, on the ground that the New Hampshire charters were illegal and void, and the jury were directed to find a verdict for the plaintiff. Two other actions being tried with like results, no defence was made in the remaining actions of ejectment. It is related that before Allen left Albany, he was called on by the Attorney-General and some others, who told him that the cause of the settlers was desperate and urged him to return home and advise them to make the best terms they could with their new landlords, reminding him of the proverb that "might often prevails against right." Allen coolly replied, "The Gods of the vallies are not the Gods of the hills," and when asked by Kemp, the Attorney-General, to explain his meaning, he replied, "If you will accompany me to the hill of Bennington, the sense will be made clear." When the news of the proceedings at Albany reached the Grants, the people

were highly excited, and a convention was holden at Bennington, in which it was resolved to defend their property, which they possessed under the New Hampshire charters, against the usurpations and unjust claims of the Government of New York, by force, as law and justice were denied them. Having thus appealed to the last arbiter of disputes, their resolution was followed by a spirited and determined resistance to the authority of New York. And whenever the Sheriff appeared upon the Grants, to arrest rioters or eject settlers, he was sure to be met by a force which he found irresistible. The Sheriff being required to execute a writ of possession against James Breckenridge, of Bennington, called to his assistance by order of the Government, a posse of 750 armed militia. The settlers, having timely notice of his approach, assembled to the number of about 300 and made arrangements for resisting the Sheriff and his posse. An officer with 18 men was placed in the house, 120 men behind trees near the road, by which they were sure the Sheriff would advance, and the remainder were concealed behind a ridge of land within gun shot of the house; and the forcing of the door by the Sheriff was to be made known to those without, by raising a red flag at the top of the chimney.

When the Sheriff approached, all were silent and he and his men were completely within the ambuscade before they discovered their situation. Mr. Ten Eyck, the Sheriff, went to the door, demanded entrance as Sheriff of the county of Albany, and threatened, on refusal, to force it. The answer from within was, attempt it and you are a dead man. At the same time the two divisions exhibited their hats on the points of their guns, which made them appear more numerous than they were. The Sheriff and his posse seeing their dangerous situation, and not being interested in the dispute, made a hasty retreat without the firing of a gun on either side. In this enterprise, as in all others during the contest with New York, Warner was the commander, or rather the leader, for all voluntarily put themselves under his guidance, and in all their conventions and consultations he was looked up to as the able, prudent, and safe counsellor.

The New York claimants, finding that the militia of Albany county could not be relied upon to act against the settlers, now sought to accomplish their object by other means. By making favorable offers of titles under New York to some prominent individuals on the Grants, by conferring offices on others, and by encouraging persons from

New York to settle on the unoccupied lands which had been granted by New Hampshire, they hoped to divide the people and render the New York interests predominant.

To thwart these plans of their enemies, committees of safety were organized in the different towns, and a convention of the settlers on the Grants was assembled, which decided, among other things, that no officer from New York should be allowed, without permission of the committee of safety, to convey any person out of the district of the New Hampshire Grants, and that no surveys should be made, nor lines run, nor settlements made under New York, within the same. The violation of this decree, was to be punished at the discretion of a court to be formed by the committee of safety, or elders of the people. At the same time, the civil officers were to exercise their proper functions in collecting debts and in other matters not connected with the controversy.

To carry out these measures, and be in readiness in case of emergency, a military association was formed, of which Ethan Allen was appointed Colonel commandant, and Seth Warner, Remember Baker, and others, were appointed Captains. Under these, the people of the Grants armed and occa-

sionally met for military exercise and discipline. Of this organization Gov. Tryon was apprised early in the year 1772, by a letter from John Munro in which he says: "The rioters have established a company at Bennington, commanded by Captain Warner, and on New Year's day his company was reviewed, and continued all day in military exercise and firing at marks."

On the 27th of November, 1771, the Governor of New York issued a proclamation, offering a reward of twenty pounds each, for the arrest of Ethan Allen, Seth Warner, Remember Baker, and some others. On the 22d of March, 1772, John Munro, moved by a hope of the reward, and a desire of notoriety, resolved to attempt the arrest of Baker, one of the most prominent of the rioters. Having collected ten or twelve of his friends and dependants, he proceeded to the house of Baker, in Arlington, before daylight. Baker was awakened by the breaking open of the door, and the entrance of a number of men, armed with swords and pistols. The intruders rushed upon and wounded him by a cut across his head with a sword. Baker being overpowered and bound, was thrown into a sleigh; and conveyed with the greatest speed towards Albany. The news of this transaction being sent by

express to Bennington, Warner, with nine or ten others, immediately mounted their horses and set off with all speed on the road to Albany, determined to intercept the "Yorkers" before they reached Hudson river, and they did overtake them, before they crossed that river, at the place where Troy has since been built, who, on the first appearance of their pursuers, abandoned their prisoner, and fled. Finding Baker nearly exhausted, by his sufferings and loss of blood, they refreshed him and dressed his wounds, and then conveyed him home, to the great joy of his family and neighbors.

Shortly after this attack upon Baker, Munro made an attempt to arrest Warner. Warner, in company with a single friend, was riding on horseback in the vicinity of Munro's residence, and being met by Munro and several of his dependants, a conversation ensued, in the midst of which Munro seized the bridle of Warner's horse and commanded those present to assist in arresting him. Warner, after vainly urging him to desist, struck Munro over the head with a dull cutlass and levelled him to the ground. Though stunned and disabled for the time, he received no permanent injury, and the spectators manifesting no disposition to interfere, Warner passed

on without any farther interruption.

Having given a history of the controversy between New York and the New Hampshire Grants, from the year 1763 to the year 1772, as fully as seemed necessary to give the reader a full view of the theatre on which Warner acted so conspicuous a part, it will be sufficient to give a more general account of that controversy from the year 1772 to the year 1775, when the Revolutionary War put an end to this, and all other sectional disputes.

From the determined and successful opposition of the settlers on the Grants, the Government of New York seemed to be impressed with the difficulty of subjecting them by force, and they determined to attempt a settlement of the controversy by negotiation. Accordingly, Gov. Tryon opened a negotiation by a letter to some of the leading men on the Grants, and, the settlers being anxious for a compromise on just and honorable terms, sent Stephen Fay and his son Jonas Fay, to New York, to negotiate a settlement. But this attempt to make an adjustment of the different claims proved abortive, and only served to produce a higher degree of excitement on both sides. The settlers were more determined, and more vigilant to discover and expel from the

Grants all those who favored the New York claims. And the Government of New York determined to pursue such measures as would terrify the settlers, and frighten them into submission. With this view they passed an act more tyrannical and sanguinary than was ever found in the code of a civilized nation.

The following are some of the leading provisions of the act:

“If any person or persons oppose any civil officer of New York in the discharge of his official duty, or wilfully burn or destroy the grain, corn, or hay of any other person, being in any enclosure, or if any persons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace, shall wilfully, and with force, demolish or pull down, or begin to demolish or pull down any dwelling house, barn, stable, grist mill, saw mill or out-house, within either of the counties of Albany or Charlotte, then each of such offences shall be adjudged felony, without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death, as in case of felony, without benefit of clergy.” It was made the duty of the Governor to publish the names of such persons in the public papers as should be indicted in either of the counties of Albany or Charlotte, for any offence

made capital by this or any other law, with an order in council commanding such offenders to surrender themselves respectively, within the space of seventy days next after the publication thereof.

This order was to be forwarded to the sheriffs and posted up in several public places, and this bloody clause was added to the act: "And in case such offenders shall not respectively surrender themselves, he or she, so neglecting or refusing, shall, from the day appointed for his surrender as aforesaid, be adjudged, deemed, and (if indicted for a capital offence hereafter to be perpetrated) convicted of felony, and shall suffer death, as in case of persons convicted of felony by verdict and judgment, without benefit of clergy."

At the same time the Governor issued a proclamation, offering a reward, for apprehending and securing Ethan Allen, Seth Warner, and several others, of fifty pounds each.

So far were these measures from terrifying the settlers that they were a subject of ridicule. Ethan Allen ridiculed them in his own peculiar manner. "They may," said he, "*condemn* us to be hung for refusing to place our own necks in the halter, but how do the fools calculate to *hang* a

Green Mountain Boy before they take him?" And this law continued to be a subject of ridicule, as no effort was ever made to put it in execution, and but one settler was arrested for debt under the authority of New York and carried out of the Grants, in violation of the decree of the Convention.

Among the early settlers in the town of Danby, were John Hart and Roger Williams. They were both men of property and were highly respected in the community. They both held their lands under grants from New Hampshire, and were equally opposed to the claims of New York. Their dealings had been pretty extensive, and, unfortunately, in the Summer of 1775, a violent contention arose between them, and Hart, being a man of strong passions and great resolution, went to Albany and took out a *capias* against Williams on a note for five hundred pounds, put it into the hands of a Deputy Sheriff, who, with Hart and some assistants from New York, in a dark and rainy night, arrested Williams in his bed, and started for Albany City Hall. An alarm was immediately given, and the settlers in Danby and Tinmouth were, one after another, armed, mounted, and in eager pursuit of the Yorkers. Their progress through the woods, over the mountains be-

tween Danby and Pawlet, was greatly impeded by the mud, roots, rocks, stumps, and darkness of the night; but they dashed on, and overtook them at White Creek, (now Salem, N. Y.) The Sheriff and his assistants escaped, but they made Hart a prisoner in place of Williams, and returned to Danby the same day. The committee of safety had previously assembled with a great concourse of Green Mountain Boys, and smaller boys, myself among the rest. As soon as the shouts, which burst forth on the arrival of the prisoner, had subsided, and the echoes from the mountains had died away, the Judges took their seats on the Bench in the bar-room, the prisoner was arraigned, and, without loss of time, convicted, and by Thomas Rowley, chairman of the committee and Chief Justice, was sentenced to receive thirty-nine stripes with the beach seal on the naked back. And as Hart had always been treated with respect at my father's house, and as this was the first punishment of the kind I ever witnessed, I felt that it was inflicted with the most cruel severity—I felt every stroke upon my own back. Let it not be said that the infliction of this barbarous punishment proves that the people of the Grants were less civilized than the people of other parts

of New England, for long afterwards this relic of barbarism was found in the criminal code of all the States ; but a more advanced state of civilization has since broken up the habit by which it had been continued through generations of civilized man, and it has been exploded never again to find a place in the code of any of the American States. The foregoing is worthy of record, as it is the only transaction of the kind which took place after the commencement of the Revolutionary War, and as this was the last opportunity a committee of safety ever had to exercise their judicial functions in the conviction of a Yorker, and yet it never found a place in any history—the transaction took place too far from Bennington, which, at that time, was all the Grants, as Paris under the despotism and during the revolution was all France.

Warner, having been engaged as a prominent leader of the Green Mountain Boys in defence of their property against the unjust and oppressive acts of the Royal Government of New York, from the year 1763 to the year 1775, was perfectly prepared to engage heart and soul in the defence of his whole country against the unjust claims and oppressive acts of the Royal Government of Great Britain. Accordingly, we find him

in the very commencement of the Revolutionary War, engaged in the enterprise against the enemy's posts on Lake Champlain.

Allen commanded the party who took Ticonderoga, and Warner commanded the party who took Crown Point. The following account of the raising of a regiment on the Grants, and the appointment of the field officers is taken from the first vol. of Sparks' American Biography, page 288. "The troops from Connecticut, under Colonel Hinman, at length arrived at Ticonderoga, and Colonel Allen's command ceased. His men chiefly returned home, their term of service having expired. He and Seth Warner set off on a journey to the Continental Congress, with a design of procuring pay for the soldiers who had served under them, and of soliciting authority to raise a new regiment on the N. H. Grants. In both these objects they were successful. By an order of Congress they were introduced on the floor of the House, and they communicated verbally to the members such information as was desired. Congress voted to allow the men, who had been employed in taking and garrisoning Ticonderoga and Crown Point, the same pay as was received by officers and privates in the American army; and also recommended to the Provincial Congress of New York, that, after con-

salting with General Schuyler, 'they should employ in the army to be raised for the defence of America those called Green Mountain Boys, under such officers as the said Green Mountain Boys should choose.' This matter was referred to the Government of New York, that no controversy might arise about jurisdiction, at a time when affairs of vastly greater moment demanded the attention of all parties. Allen and Warner repaired without delay to the New York Congress, presented themselves at the door of the hall, and requested an audience, the resolve of the Continental Congress having already been received and discussed.

"An embarrassing difficulty now arose among the members, which caused much warmth of debate. The persons who asked admittance were outlaws by an existing act of the Legislature of New York, and, although the Provincial Congress was a distinct body from the old assembly, organized in opposition to it, and holding its recent principles and doings in detestation, yet some members had scruples on the subject of disregarding in so palpable a manner, the laws of the land, as to join in public conference with men who had been proclaimed by the highest authority in the colony to be rioters and felons. There was also another party, whose feelings

and interest were enlisted on the side of their scruples, who had taken an active part in the contest, and whose antipathies were too deeply rooted to be at once eradicated. On the other hand, the ardent friends of liberty who regarded the great cause at stake as paramount to every thing else, and who were willing to show their disrespect for the old assembly, argued not only the injustice but tyranny of the act in question, and represented, in strong colors, the extreme impolicy of permitting ancient feuds to mar the harmony and obstruct the concert of action, so necessary for attaining the grand object of the wishes and efforts of every member present. In the midst of the debate, Captain Sears moved that Ethan Allen should be admitted to the floor of the House. The motion was seconded by Melancton Smith, and was carried by a majority of two to one. A similar motion prevailed in regard to Seth Warner. When these gentlemen had addressed the House they withdrew, and it was resolved that a regiment of Green Mountain Boys should be raised, not exceeding five hundred men, and to consist of seven companies.

“They were to choose their own officers, except the field officers, who were to be appointed by the Congress of New York; but

it was requested that the people would nominate such persons as they approved. A lieutenant-colonel was to be the highest officer. The execution of the resolve was referred to General Schuyler, who immediately gave notice to the inhabitants of the Grants, and ordered them to proceed in organizing the regiment.

“ Meantime Allen and Warner had finished their mission and returned to their friends. The committees of several townships assembled at Dorset to choose officers for the new regiment. The choice fell on Seth Warner for lieutenant-colonel, and on Samuel Safford for major. This nomination was confirmed by the New York Congress. Whether Colonel Allen declined being a candidate, or whether it was expected that the regiment would ultimately have a colonel, and that he would be advanced to that post, or whether his name was omitted for any other reason, I have no means of determining.”

This is obviously calculated to lessen the consequence of Warner, and should it go down to posterity without comment, they would form too low an estimate of his character. And yet, when this was written, it was in perfect accordance with public sentiment at the time, in relation to the character of the two men. Allen and Warner were both distinguished

leaders of the Green Mountain Boys, in defending the New Hampshire Grants against the claims of New York, but they were very different men. Allen wrote and published a number of pamphlets in defence of the New Hampshire title. The singular boldness of the language, and the off-hand mode of reasoning, if I may be allowed the expression, attracted the attention of the people, and they were extensively circulated and read throughout New England. In the meantime, the narrative of his captivity passed through several editions, which were also extensively circulated and read. Allen had also a peculiar species of bravado, which rendered him conspicuous, but which is not easily described. His answer to the question put to him by the commandant of Ticonderoga, by what authority he demanded the fort, which was, "in the name of the Great Jehovah, and the Continental Congress," perhaps may give a tolerable idea of it. He was thus calculated to embolden the timid, confirm the wavering, and inspire all with confidence in their cause.

From the foregoing, the character of Allen has been kept before the people in bold relief, suffering nothing by the lapse of time. But Allen was sometimes rash and imprudent. Warner, on the other hand,

never wrote any thing for the public eye. He was modest and unassuming. He appeared to be satisfied with being useful, as he manifested no solicitude that his services should be known or appreciated. He was always cool and deliberate, and in his sound judgment, as well as in his energy, resolution, and firmness, all classes had the most unlimited confidence.

From the foregoing brief sketch of the very different characters of Allen and Warner, it is evident they were far more efficient and more useful in defending the New Hampshire Grants, than they would have been, had they both been Allens or both Warners, and it would not be extravagant to say, that had either been wanting, the independence of Vermont might not have been achieved. But in selecting a person to command a regiment, the men of that day gave the preference to Warner. Accordingly, the Convention assembled at Dorset to nominate officers for a regiment of Green Mountain Boys, nominated Warner for Lieut. Colonel to command the regiment, by a vote of 41 to 5. And as Allen was a candidate for the office, as appears by his letter to Governor Trumbull, written shortly after the officers were nominated, in which he says, that he was overlooked because the old men

were reluctant to go to war, the vote must be considered as a fair expression of the public sentiment in relation to the qualifications of the two men for the office. This is confirmed by the few cotemporaries of Allen and Warner who still survive, and by the traditionary accounts of the men of that day.

In September, 1775, we find Warner in at the head of his regiment, during the siege of St. Johns by Montgomery, although it is evident that both Warner and the officers of his regiment were without commissions, for we find by Montgomery's orderly book, that, on the 16th of September, he issued an order appointing Seth Warner Colonel of a regiment of Green Mountain Rangers, requiring that he should be obeyed as such. Probably the Provincial Congress of New York withheld the commissions on the same grounds, on which, in the following year, they urged the Continental Congress to recall the commissions which they had given to Warner, and the officers of his regiment. But the regiment fought as bravely, and performed as important services, as any other regiment during the campaign, as will appear by the following brief account of it. Montgomery, having obtained a supply of ammunition and military stores, by the cap-

ture of Chambly, made his advances upon the fort at St. Johns, with increased vigor. The garrison consisted of 600 or 700 men, who, in hopes of being soon relieved by General Carleton, made a resolute defence, Carleton exerted himself for this purpose, but such was the disaffection of the Canadians to the British cause, that he could not muster more than 1000 men, including the regulars, militia of Montreal, Canadians and Indians. With this force he proposed to cross the St. Lawrence, and join Col. McLean, who had collected a few hundred Scotch emigrants, and taken post at the mouth of the Richelieu, hoping, with their united forces, to be able to raise the siege of St. Johns, and relieve the garrison. In pursuance of this design, Carleton embarked his troops at Montreal, with the view of crossing the St. Lawrence and landing at Longueuil. Their embarkation was discovered by Col. Warner, from the opposite shore, who, with about 300 Green Mountain Boys, watched their motions, and prepared for their approach. Just before they reached the South shore, Warner opened upon them a well directed fire of musketry, and grape shot, from a four pounder, by which unexpected assault, the enemy were thrown into the utmost confusion and retreat.

ed with precipitation and disorder. When the news of Carleton's defeat reached McLean, he abandoned his position at the mouth of the Richelieu, and hastened to Quebec. By these events, the garrison at St. Johns was left without the hope of relief, and Major Preston, the commander, was consequently obliged to surrender. The garrison laid down their arms on the 3d of November, and became prisoners of war, to the number of 500 regulars, and more than 100 Canadian volunteers. In the fort was found a number of cannon and a large quantity of military stores. Col. Warner having repulsed General Carleton, and caused McLean to retire to Quebec, the Americans proceeded to erect a battery at the mouth of the Richelieu, to command the passage of the St. Lawrence, and blockade Gen. Carleton in Montreal. In this situation of things, Montgomery arrived from St. Johns, and took possession of Montreal without opposition, Gen. Carleton having abandoned it to its fate, and escaped down the river in the night, in a small canoe with muffled oars. A large number of armed vessels, loaded with provisions and military stores, and Gen. Prescott, with 100 officers and privates, also attempted to pass down the river, but they were all captured at the mouth

of the Richelieu, without the loss of a man. Warner's regiment having served as volunteers, and the men being too miserably clothed to endure a winter campaign in that severe climate, on the 20th of November, Montgomery discharged them, with peculiar marks of respect, and his thanks for their meritorious services. Warner returned with his regiment to the New Hampshire Grants, but instead of enjoying a respite from the fatigues and hardships of a campaign during the winter, he was called on to return to Canada. Although he was not in commission, and had no troops under his command, yet, Gen. Wooster, who knew him well, did not scruple to write, requesting him to raise a body of men, and march into Canada, in the middle of winter. The letter is dated at Montreal, January 6, 1776. The following are extracts from the letter. After giving a general account of the defeat at Quebec, he says : "I have sent an express to Gen. Schuyler, to Washington, and to Congress, but you know how very long it will be before we can have relief from them. You, sir, and your valiant Green Mountain Boys, are in our neighborhood, you all have arms, and I am confident ever stand ready to lend a helping hand to your brethren in distress, therefore, let me beg of you to raise

as many men as you can, and have them in Canada, with the least possible delay, to remain till we can have relief from the Colonies. You will see that proper officers are appointed under you, and the officers and privates will have the same pay as the Continental troops. It will be well for your men to start as soon as they can be collected. No matter whether they all march together, but let them come on by tens, twenties, thirties, forties, or fifties, as fast as they can be prepared to march. It will have a good effect upon the minds of the Canadians, to see succor coming in. You will be good enough to send copies of this letter, or such parts of it as you shall judge proper, to the people below you. I can but hope the people will make a push to get into this country, and I am confident I shall see you here, with your men, in a very short time." And Gen. Wooster was not disappointed. He did see Warner in Canada, with his men, in a very short time. Probably no revolutionary patriot, during the war, performed a service evincing more energy, resolution, and perseverance, or a more noble patriotism, than the raising of a regiment in so short a time, and marching it to Quebec in the face of a Canadian winter. The men of this day would shiver at the thought of it.

That Warner performed this service with incredible dispatch, appears from the following letter of Gen. Schuyler to Washington, dated at Albany, as early as the 22d of January.

ALBANY, January 22, 1776.

Dear Sir :

Col. Warner has been so successful in sending men into Canada, and as a regiment will soon be sent from Berkshire county in Massachusetts, and as I am informed by a letter from Congress, that one regiment from Pennsylvania and one from New Jersey, will be immediately sent to Albany, and put under my command, and as these troops can be in Canada as early as any which your Excellency can send from Cambridge, the necessity of sending on those troops, which I had the honor to request to send, will be superseded.

I am, sir, with respect and esteem, your Excellency's most obedient and very humble servant, PHILIP SCHUYLER.

His Excellency,

GEORGE WASHINGTON.

Warner had advantages in the performance of this service, which no other man possessed. The Green Mountain Boys had long been armed in their own defence a-

gainst the Government of New York, and he had been their chosen leader. They had become habituated to turn out at his call, and follow his lead. And as they had been successful in every enterprise they had the most unlimited confidence, in his judgment, his vigilance, his prudence and his unflinching courage. Besides, they loved him for his moral and social qualities. He sympathised with all classes, and this rendered him affable and familiar with them, and as this did not arise from any mean or selfish motive, but from the interest which he felt in the welfare of his fellow men, he ever maintained a self-respect and a dignified deportment. Add to this, that the Green Mountain Boys were zealous and active whigs, and it is no longer incredible that they turned out with such alacrity at the call of Warner, in defence of their country. This winter campaign in Canada, proved extremely distressing. The troops were in want of comfortable clothing, barracks, and provisions. Most of them took the small pox and great numbers of them died. At the opening of spring, in May, 1776, a large body of British troops arrived at Quebec, to relieve the garrison, and the American army, in their distressed situation, were compelled to make a hasty retreat. Warner took a position exposed to

the greatest danger, and requiring the utmost care and vigilance. He was always in the rear, picking up the wounded and diseased, assisting and encouraging those who were least able to take care of themselves, and generally kept but a few miles in advance of the British, who closely pursued the Americans from post to post. By calmly and steadily pursuing this course, by his habitual vigilance and care, Warner brought off most of the invalids, and with this corps of the diseased and infirm, arrived at Ticonderoga a few days after the main army had taken possession of that post.

Highly approving of their extraordinary exertions, Congress, on the 5th of July, 1776, resolved to raise a regiment out of the troops who had served with so much reputation in Canada, to be commanded by a Lieut. Colonel. Warner was appointed Lieut. Colonel, and Samuel Safford Major. Most of the officers of the regiment were persons who had been distinguished by their opposition to the claims and proceedings of New York. By this appointment, Warner was again placed in a situation perfectly suited to his genius, and, in conformity with his orders, he raised his regiment, and repaired to Ticonderoga, where he remained to the close of the campaign.

On the 16th day of January, 1777, the Convention of New Hampshire Grants declared the whole district to be a free, sovereign, and independent State, by the name of Vermont. The Provincial Congress of New York was then in session, and, on the 20th of the same month, announced the transaction to the Continental Congress, complaining in strong terms of the conduct of Vermont, denouncing it as a dangerous revolt and opposition to lawful authority, and at the same time remonstrating against the proceeding of Congress in appointing Warner to the command of a regiment, independent of the Legislature and within the bounds of that State, "especially as this Col. Warner hath been constantly and invariably opposed to the Legislature of this State, and hath been on that account proclaimed an outlaw by the late Government thereof. It is absolutely necessary to recall the commission to Warner, and the officers under him, to do us justice." No measures were taken by Congress, at this time, to interfere in the civil concerns of the two States, or to remove Warner from his command. Anxious to effect this purpose, the Provincial Congress of New York, on the 1st of March following, wrote again on this subject, and among other

things declared, "that there was no probability that Warner could raise such a number of men as would be an object of public concern." Congress still declined to dismiss so valuable an officer from their service. On the 23d of June following, Congress was obliged to take up the controversy between New York and Vermont, but instead of proceeding to disband Warner's regiment, on the 30th of the same month, they resolved, "that the reasons which induced Congress to form that corps were, that many officers of different States who had served in Canada, and who, as was alleged, might soon raise a regiment, but who were then unprovided for, might be retained in the service of the United States.

Fortunately, when Congress acted on this subject, Gouverneur Morris was the only member present from New York, and he was too independent to comply with the wishes of his own State, when, in his judgment, such compliance would prove injurious to his country, and whose views were too enlarged to be governed by sectional prejudice, of which, it will appear, he had imbibed a good share. At that day the people of New York had imbibed strong prejudices not only against the people of the Grants, but against the whole Yankee Nation. The

origin of this was obvious. Yankee sagacity very early discovered the true character of the honest, unsuspecting Dutch population of New York, and there was then among the people of New England, as there ever has been among all civilized people, a base, unprincipled set of villains, constantly preying upon the honest, unsuspecting part of the community. This set of Yankee swindlers combined, and devised a great variety of means by which to cheat and rob the honest Dutchmen. One species of their villainy was of a somewhat darker shade than the rest. They combined, and selecting those individuals of their class, whose formation most nearly resembled that of the negro, and who could best act the part of a slave, would carefully black them, sell them to the unsuspecting Dutchmen, receive the money, and return to New England, and the slaves would wash off their external blackness, escape with safety, return to New England, and receive their share of the booty. This set of villains were as much detested by the people of New England, as they were by the people of New York, but as there was at that day but very little intercourse between New York and the New England Colonies, except that which was kept up by this set of miscreants, they gave

a character to the whole people of New England.

The following letter from Gouverneur Morris, to the President of the council of New York, will verify some of the foregoing remarks, and disclose his views of the character of Warner, and the grounds on which he opposed the disbanding of his regiment.

FORT EDWARD, July 21, 1777.

SIR :

I congratulate the Council upon the sense of Congress relative to our northeastern country, discovered in their resolutions, of which I have several copies. I had seen one of your resolutions, and supposing the letters to Dr. Williams, Mr. Sessions, and Dr. Clark, to contain some of them, by the advice of Generals Schuyler and St. Clair, I opened the letters, and finding myself right in that conjecture, I have detained them until further orders. Mr. Yates being at Albany, I was under the disagreeable necessity of standing alone whilst I incurred your displeasure, should that be the consequence of what I have done. The Grants are in a very delicate situation. Skeene is courting them with golden offers. He has already gained many, and many more are compelled to submission. There are not a few warm advocates of the British Govern-

ment among them. At present, it is of infinite importance, to get as many of these people as possible to move their families and effects, particularly their teams and provisions, from the immediate vicinity of Burgoyne's army. Warner is their leader, and if he be disgusted, depend upon it, he will draw after him, in the present circumstances, a very large train, for, disagreeable as it may be, to tell or hear this truth, yet, a truth it is, that very many of these villains only want a New England reason, or if you like the expression better, a plausible pretext, to desert the American States, new Vermont among the rest. The enemy will be able to make immense advantages of it, and they will hardly fail of so doing. Skeene is at hand to flatter them with being a separate province, and what will weigh more, to give them assurances of being confirmed in their titles, howsoever acquired. For God's sake, let us take care what we do. By throwing this people into the enemy's arms, we supply them with what they most need, and cannot obtain without this imprudence—to do this, with the greatest advantages in view, would not be very wise, but for the sake of a mere feather, (and the government of that country is nothing more in this critical juncture,) would be something too

much like madness for me to name. Gen. Schuyler intends to write to the Council on the same subject. If the reasons he may offer should prove satisfactory, you will dispatch an express to prevent the publication in the London papers, which I perceive is a part of your plan.

My respects wait on the Council.

Your most obedient and humble servant,
GOVERNEUR MORRIS.

When Burgoyne came up the lake in the summer of 1777, Col. Warner was sent into Vermont to call out the militia for the defence of Ticonderoga, as appears from the following letter.

RUTLAND, July 1, 1777.

To the Hon. the Convention now sitting at Windsor, in the State of Vermont.

GENTLEMEN :

Last evening I received an express from the General commanding at Ticonderoga, advising me that the enemy have come up the lake, with 17 or 18 gun-boats, two large ships, and other craft, and lie at Three Mile Point. The General expects an attack every hour. He orders me to call out the militia of this State, of Massachusetts and New Hampshire, to join him as soon as possible. I have sent an express to

Col. Simonds. Col. Robinson and Col. Williams are at Hubbardton, waiting to be joined by Col. Bellows, who is with me. When the whole are joined, they will amount to 700 or 800 men. I know not to whom to apply except to your honorable body, to call out the militia on the East side of the mountain. I shall expect that you will send on all the men that can possibly be raised, and that you will do all in your power, to supply the troops at Ticonderoga with beef. Should the siege be long, they will be absolutely destitute, unless the country exert themselves. If 40 or 50 head of beef cattle can be brought on by the militia, they will be paid for by the commissary, on their arrival. The safety of the post depends on the exertions of the country. Their lines are extensive and but partially manned, for want of men. I should be glad if a few hills of corn unhoed should not be a motive sufficient to detain men at home, considering the loss of such an important post might be irretrievable. I am, gentlemen, with the greatest respect, your obedient and very humble servant,
SETH WARNER.

When Ticonderoga was evacuated, on the night of the 6th July, 1777, the main body of the American army took the road

through Hubbardton and Castleton. When they arrived at Hubbardton, the rear guard was put under the command of Warner, with orders to follow the main army, as soon as those who were left behind should come up, and keep about a mile and a half in the rear. St. Clair then proceeded to Castleton, distant about six miles from Hubbardton.

The retreat of the Americans from Ticonderoga was no sooner discovered by the British, than an eager pursuit was begun by Fraser, with the light troops, who was soon followed by Reidesel with the greater part of the Brunswick regiment. Fraser continued the pursuit through the day, and learning that the rear of the American army was not far distant, he ordered his men that night to lie on their arms. Early on the morning of the 7th, he renewed the pursuit, and about 7 o'clock commenced an attack on the Americans under Warner. Warner's force consisted of his own regiment, and the regiments of Colonels Francis and Hale. Hale, for some reason, retired with his regiment, leaving Warner and Francis with only seven or eight hundred men to dispute the progress of the enemy. The conflict was fierce and bloody. Warner charged the enemy with such impetuosity,

that they were thrown into disorder, and gave way, but they soon recovered, formed anew, and advanced upon the Americans, but were again brought to a stand. At this critical moment, Reidesel arrived and joined Fraser, with his troops, and Francis fell, fighting bravely at the head of his regiment, which then gave way, and the fortune of the day was decided. The Americans fled into the woods in all directions. Those of Warner's regiment, who heard the order to that effect, repaired to Manchester, the others, with Francis's regiment, followed and joined the main army, and marched to Fort Edward.

All those belonging to Warner's regiment, who marched to Fort Edward, were soon after sent to Manchester by Schuyler.

Warner having been stationed at Manchester, by order of Schuyler, Herrick's regiment of Rangers, raised by the New Hampshire Grants, was, by the Council of Safety, stationed at Manchester, and put under Warner's command.*

When Ticonderoga was evacuated, some portion of the inhabitants of the present

* It is worthy of remark, that, although Vermont was a frontier state, Warner's regiment were the only Continental troops, that were, at any time during the war, stationed within its limits, and they only during the summer of 1777.

county of Rutland moved their families, and all their property, which could be of use to the enemy, to the south part of the state, full of resolution to defend their country at all hazards; but a great majority of the inhabitants were so shocked and discouraged, by the unexpected and, as they believed, treacherous evacuation of Ticonderoga, that they were thrown into a state of despondency, and believing the country must be conquered, each sought his individual safety, remaining on his farm and seeking protection from the British. By these inhabitants, Protectioners as they were called, the British troops were supplied with large quantities of fresh provisions. This at once arrested the attention of Schuyler, and he wrote the following letter to Warner.

FORT EDWARD, July 15, 1777.

DEAR COLONEL:

I am favored with yours of yesterday. I enclose an order for what clothing can be procured at Albany, which must be sent for.

I have made a temporary appointment of Mr. Lyon to be your paymaster, and have given him four thousand dollars, which is all I can at present spare. Col. Simonds, with four or five hundred of his men, will join you, but let the others come this way. We

are informed that the enemy are gone to Ticonderoga, to come by the way of Fort George, because they find it rather difficult to penetrate by the way of Skenesboro'.

Secure all the carriages and cattle you can. Much depends on preventing them from getting supplies of this kind.

Advance as near the enemy as you possibly can, seize all Tories, and send them to the interior of the country.

Be vigilant, a surprise is inexcusable.

Thank the troops in my name, for behaving so well as they did at Hubbardton—assure them I will get whatever I can to make them comfortable. All your regiment that were here, are already on the way to join you. If we act vigorously, we save the country. Why should we despond? Greater misfortunes have happened and have been retrieved—cheer up the spirits of the people in that part of the country.

PHILIP SCHUYLER.

On the same day, Schuyler wrote the following letter to Col. Simonds, commanding a regiment of militia in Berkshire county, adjoining the Grants.

SIR :

I wish to extend my care and attention

to every part of the country, and afford assistance whenever it is wanted, but I am very weak here, and the enemy, as I am informed, are going to Ticonderoga to come through Lake George. However, assistance is wanted on the Grants, and you will march four or five hundred men to aid Col. Warner, the remainder of the militia to come this way.

PHILIP SCHUYLER.

On the 17th of July, General Schuyler transmitted the following order to Col. Warner.

“ You will order the militia of New Hampshire to join you, and if none are yet in motion, you will send an express to bring them on with all possible dispatch.”

Warner received the foregoing order on the 18th of July, and on the same day sent an express to New Hampshire, enclosing it in the following letter.

MANCHESTER, July 18, 1777.

GENTLEMEN:

Inclosed is General Schuyler's order for raising the militia of your state to join me in the defence of the country. According to the best information we can obtain, the enemy have a force at Castleton of about 3000 men, and many of the inhabitants

north of this have fled and left all in the hands of the enemy, and many more have taken protections of the British, and remain on their farms, and should the enemy march this way with any considerable force, many more will submit, and what will be the consequence cannot be foreseen, but this is certain, our frontier must be where we have sufficient force to face the enemy, whether it be on the Grants, in New Hampshire, or Massachusetts. Being thus informed of our exposed situation, you will at once perceive the necessity we are under of immediate assistance, and I shall confidently expect you will send to this post, with the least possible delay, a body of your militia, which will enable me to defend this post against any force which the enemy may bring against it.

Your humble Servant,

SETH WARNER.

The Honorable Council of }
New Hampshire. }

The orders which Warner had received from Schuyler, to take and bring in all the property from the country north of Manchester, with which the enemy might be supplied, were promptly and thoroughly executed. Large droves of cattle were brought

in and sold at Bennington, under the direction of the Council of Safety, who held a perpetual session in that town during the summer. What Tories there were in that region escaped and joined the enemy. The other inhabitants were taken and brought before the Council of Safety, all of whom declared that they took the oath of allegiance to his Majesty by compulsion, that they did not consider themselves bound by it, and were ready to take the oath of allegiance to the United States. After taking this oath, they were discharged. Most of them, soon after, fought bravely in the battle of Bennington.

Through the whole of this unpleasant business, the magnanimity and humanity of Warner were conspicuous. But one person was killed or injured by the scouts during the summer.

There were three inhabitants of the town of Tinmouth who were reputed to be Tories. One of them, by the name of Irish, was shot by Isaac Clark, afterwards General Clark. Clark was a Lieutenant in Herrick's regiment of Rangers and commanded one of the scouts sent out from Manchester. He concealed his men in the woods not far from Irish's house, and after watching the house for some time, and finding that Irish was within, and wishing to ascertain whether he had any hostile

designs against the Whigs, instead of surrounding the house and taking him, he sent in one of his men, by the name of Clough—unarmed. Clough had been a neighbor of Irish, but, on the evacuation of Ticonderoga, had moved off. They entered into a conversation, which was continued for some time. At length, Clough began to suspect that Irish intended to detain him, as he was unarmed, and feeling unsafe, he walked with apparent unconcern out of the door, and turning a corner of the log house, out of sight of Irish, he set out on a run toward the scout. Clark, who was watching, saw this, and instantly saw Irish chasing Clough with his gun, and perceiving that he intended to shoot him before he reached the woods, drew up his rifle, and shot Irish dead upon the spot. This was represented by the Tories as a wanton murder, and many years afterwards, when Clark was in public life, and a prominent political partizan, some of his political opponents renewed the charge of murder against Clark, with many aggravating circumstances.

About the first of August, Stark arrived at Manchester, with 800 New Hampshire militia, on his way toward the seat of war on the Hudson. By General Schuyler's order, the New Hampshire militia were to be

stationed at Manchester, under the command of Warner, but the Government of New Hampshire had given Stark the command of the militia of that state, independent of the Continental officers.

Situated as were Stark and Warner, in this case, men of little minds, actuated by little motives, and influenced more by a love of command than a love of country, would have come into collision at once. But Stark and Warner, influenced by higher motives, and actuated by a noble patriotism, were prepared to serve their country in any station, not inconsistent with their personal honor, in which they could be most useful. They therefore acted together cordially, manifesting a high degree of respect for each other, and in Bennington battle, although Stark was the ostensible commander, they in fact commanded jointly, so that if the result had been disastrous, Congress would not have censured Warner for yielding the command to Stark.

It appears by the correspondence between Schuyler and Warner, that, soon after the American army had retreated to Fort Edward, reports were circulated that the enemy were coming down through the Grants with a force of three or four thousand men, but Schuyler instead of reducing his own

force by sending a detachment to Manchester, ordered the militia of Massachusetts and New Hampshire to that place. But before Stark arrived at Manchester, it was ascertained that Burgoyne had left, at the different posts in his rear, a force barely sufficient to act on the defensive, and keep open his communication with Canada. Warner having withdrawn all supplies out of the reach of the enemy, his regiment was a sufficient force for that post ; he therefore ordered the troops, which had been raised on the Grants, and put under his command by the Council of Safety, to join Stark, making his force fourteen hundred men. With this force, Stark, on the 9th of August, marched to Bennington. Warner's family being at Bennington, and it being very certain that his presence would not be required at Manchester, he accompanied Stark to Bennington, leaving the post under the command of Major Safford.

On the 13th of August, Stark received intelligence that a party of Indians had been discovered at Cambridge, about twelve miles from Bennington, and he dispatched Colonel Gregg, with 200 men, to stop their progress; but he was soon advised by express, that there was a large body of the enemy in the rear of the Indians, and that they were ad-

vancing towards Bennington. Stark immediately rallied his force and made an animating call on the neighboring militia, and sent orders to Major Safford to join him with Warner's regiment. On the morning of the 14th, Stark moved with his whole force towards Cambridge, and, at the distance of five or six miles, met Gregg retreating before the enemy, who were only one mile in his rear. Stark immediately halted and drew up his men in order of battle. Baum, who had the command of the enemy, perceiving the Americans to be too strong to be attacked by his present force, also halted, and commenced entrenching himself on a commanding piece of ground, and sent an express for a reinforcement. Stark, unable to draw them from their position, fell back about a mile with his main force, leaving only a small party to skirmish with the enemy, which they did so effectually as to kill or wound thirty of their number, two of whom were Indian chiefs, without any loss to themselves. Here Stark called a council of war, by which it was resolved that an attack should be made upon the enemy, before they could receive a reinforcement. Stark, with the advice of Warner and other chief officers, having arranged his plan, gave orders for the troops to be in readiness

to commence an attack on the following morning. The next day, however, proved to be rainy, which prevented a general engagement, but there were frequent skirmishes between small parties, which resulted in such a manner as to afford encouragement to the Americans, and to induce the Indians attached to Baum's army to desert in considerable numbers, as they said, "because the woods were full of Yankees."

This unavoidable delay of a general engagement enabled the enemy to complete their breastworks, and put themselves in a favorable condition for defence. Their principal force was strongly entrenched on the north side of the Walloomscoik river, where there is a considerable bend in the stream, while a corps of Tories in the British service were entrenched on the opposite side of the river, on lower ground. The river is small and fordable in all places. Stark's encampment was on the same side of the river as was the main body of the enemy, but, owing to a bend in the stream, it crossed the line of his march twice on his way to their position. On the morning of the 16th of August, General Stark was joined by Col. Simonds, with a small body of militia from Berkshire County, Mass., and having reconnoitred the enemy's position, he proceeded

to carry into effect the previous plan of attack.

Colonel Nichols was detached with 200 men to the rear of the left wing of the enemy, and Colonel Herrick with 200 men to the rear of their right wing. These were to join, and then make the attack. Colonels Stickney and Hubbard were also ordered to advance, with 200 men on their right, and 100 in front, to divert their attention from the real point of attack.

As the divisions of Nichols and Herrick approached each other, in the rear of the enemy, the Indians, apprehensive of being surrounded, made their escape between the two corps, with the exception of three killed and two wounded, as they passed. The positions being taken at 3 o'clock in the afternoon, the action was commenced by Col. Nichols, and his example was quickly followed by the other divisions. General Stark advanced slowly in front, till the firing announced the commencement of the attack on the rear, he then rushed forward and attacked the division of Tories, and in a few moments the action became general. "It lasted" (says Stark in his official dispatch) "two hours, and was the hottest I ever saw. It was like one continued clap of thunder." The German dragoons made a determined resistance, and when their am-

munition was expended, they were led on by Col. Baum, and attacked the Americans, sword in hand. But their bravery was unavailing. They were finally overpowered, their works were carried on all points, their two cannon were taken, Col. Baum was mortally wounded, and fell into the hands of the Americans, and all his men, with the exception of a few who escaped to the woods, were either killed or taken. The prisoners were now collected together, and sent off under a strong guard to the meeting-house in Bennington, and Stark, unsuspecting of danger, suffered his men to scatter in pursuit of refreshment and plunder. In this state of things, intelligence was received that a reinforcement of the enemy, under Col. Brey-men, with two field-pieces, was rapidly approaching, and only two miles distant. Stark endeavored to rally his exhausted forces, but before he could put them into a condition to make an effectual resistance, the enemy advanced upon them in regular order, and commenced an attack. They opened an incessant fire from their artillery and small arms, which was, for a time, returned by the Americans with much spirit, but, exhausted by fatigue and hunger, and overpowered by numbers, they, at length, began slowly and in good order to retreat,

disputing the ground inch by inch.

The remnant of Warner's regiment, which then consisted of 130 men, had been suffered to remain at Manchester, under the command of Maj. Safford, as already stated. When the express arrived with orders for it to proceed to Bennington, many of the men were absent on a scout, and that and other causes prevented its marching till the 15th. Owing to the heavy rain on that day, it was near midnight before the regiment reached the river, one mile north of Bennington. Here they encamped for the night, and a considerable portion of the next day was spent in putting their arms and equipments, which had been drenched by the rain, in a condition for battle.

As soon as these were in readiness, they marched by the way of Bennington village to receive their ammunition and arrived on the battle field at the very moment when the Americans were beginning to fall back. Disappointed that they had not been in season for the first engagement and shared in the glory, they now advanced and attacked the enemy with great spirit and resolution, being determined, says Ethan Allen, to have ample revenge on account of the quarrel at Hubbardton. The enemy, who had just been exulting in the prospect of an easy victory, were now

brought to a stand, and more of the scattered militia being now brought forward by Stark and Herrick, the action become general. The combat was maintained, with great bravery on both sides, until sunset, when the enemy gave way, and were pursued till dark.

“With one hour more of day-light,” (says Stark in his official report,) ‘I should have captured their whole force.’ In these two engagements, the Americans took four brass field pieces, four ammunition wagons, and above 700 prisoners, with their arms and accouterments. The number of the enemy found dead on the field was 207, their number of wounded, not ascertained. The loss of the Americans, compared with that of the enemy, was trifling. They had 30 killed and about 40 wounded.

✍ To the foregoing account of Bennington battle, which is taken from Thompson’s History of Vermont, the author appended the following note: “It has been generally supposed, and has been so represented, in most of the accounts of Bennington battle, that Warner was not present in the first engagement, but this is doubtless a mistake. Stark says expressly in his official letter that Warner was with him several days previous to the battle, and acknowledges his assistance in planning it. The mistake probably arose from the fact that Warner’s regiment was

not in the first engagement, but arrived just in season to decide the fate of the second, as above stated."

Until I read the foregoing note, written more than sixty years after the battle, I never knew that the fact, that Warner was absent with his regiment and did not arrive until after the capture of Baum, was controverted, or the truth of it doubted by any one. The first thing that struck me was, that the note was peculiarly calculated to injure the character of Warner with posterity. They will perceive by the foregoing account of the battle, and from Stark's dispatch, that Warner had no command in the first engagement, and that his name is no-where to be found in connexion with it. They will also learn from the foregoing note, that Warner was neither seen nor felt in the first engagement—that he did nothing to attract notice, so that it was understood and admitted for more than half a century, that he was not in the engagement, and if they shall be satisfied, that he was in it, the conclusion will be irresistible that Warner was so inefficient, that it was of no importance whether he was or was not in it, and they will lay him aside with things forgotten.

Now the first clause in the note is certainly true, that it has been generally sup-

posed, and so represented, that Warner was not in the first engagement. I had two brothers in both engagements, one of whom resided in Bennington, and was personally acquainted with Warner, and they always stated, that Warner was not in the first engagement. And if it be true that he was not in the first engagement, then the whole note is a simple declaration of the truth, and however unfortunate it may be for the character of Warner, the truth must be admitted. But I am persuaded that, on a candid examination of the subject, it will appear that Warner was not in the first engagement, and so neither his character nor the cause of truth will suffer.

All, I trust, will be agreed, that to set aside a contemporaneous statement of a fact, repeated and acquiesced in, for more than half a century, positive and direct evidence is required, especially, if the fact was of a most public nature, and so important and so interesting to hundreds who were present, that it must have attracted their attention at the time. And such is the fact, that Warner was absent with his regiment, and did not arrive in season for the first engagement. And here it is worthy of remark, that almost all the inhabitants of Bennington, the townsmen of Warner, who had, for years, placed

the greatest reliance upon him in all cases of difficulty and danger, were in both engagements. The fact we are examining, must have been known to these men, and truly related, and there could not have been, as there was not, any question in relation to it, during their lives. Accordingly, we find in Williams' History of Vermont, a statement of the fact as unquestioned, and Williams' History is the highest authority which can be produced in the case. Dr. Williams came into this State and resided in the village of Rutland, as early as 1788 or 1789,* and immediately set about collecting materials for a History of Vermont. In 1793 he published his History in one volume. This embraced no part of the History of the Revolutionary War, but he afterwards greatly enlarged his History of Vermont, embracing a History of the Revolutionary War, as far as Vermont was particularly concerned with it, and published it in two volumes.

It appears that the last of the 2d volume was written in 1806, but the work was not published till 1809. In the 2d volume of this History, page 120, is an account of Bennington battle, in which Dr. Williams states that after the capture of Baum, Warner

*Rev. Dr. Williams began to preach in Rutland, in January, 1788.

came up with his regiment from Manchester, mortified that he was not in the first engagement. Now at the time Dr. Williams wrote this, a great portion of those who were in Bennington battle, were still living, a number of whom were leading men in the State : as Gov. Galusha of Shaftsbury, the Robinsons, Fays, Dewey, Brush, Walbridge, and others, inhabitants of Bennington. With all these Dr. Williams had frequent opportunities to converse. There were also living at Rutland, at that time, several prominent men who were in the battle, and no cotemporary of Dr. Williams will believe that he added "mortified that he had not been in the first engagement" merely to sound a period. And, surely, the statement that Warner was with Stark several days before the battle and assisted him in planning the attack, does not prove that Warner lingered about the encampment of Stark, and never saw his regiment until Safford brought it to him after the first engagement. On the contrary, from the facts in the case, there is a violent presumption that he did not.

Knowing, as Stark and Warner must have known, that the regiment encamped about five or six miles from the battle ground, on the night of the 15th, we are to suppose, that both Stark and Warner had lost all their

natural energy and become so stupid that they took no steps to hasten the regiment on to the battle ground. Could Warner ever have thought of being in the engagement, without his regiment? They were the only veteran troops to be engaged in the conflict—they had often fought under the eye of Warner, and had always displayed great bravery and intrepidity. Warner had the fullest confidence in them, and they were strongly attached to him, as brave soldiers ever are to a brave and high-minded commander, and Warner must have been with them early on the morning of the 16th, to hasten their preparation and march to the battle ground. And as Warner failed to bring up his regiment until after the capture of Baum, his name is not found in Stark's dispatch in connexion with the first action.

If we say that Safford did not, in the night of the 15th, send an express to his Colonel, informing him of his arrival, and the situation of his men, we impute to him a neglect of which he could not have been guilty, and Warner having received this information, must have been with his regiment on the morning of the 16th, to hasten the preparation of his men and their march to the battle ground. Judging that they could not be on the ground before three o'-

clock in the afternoon, and so important was it deemed, that Warner's regiment should join the attack, and so anxious was Warner to command his own regiment in the action, it was thought proper to risk a previous arrival of the expected reinforcement of the enemy, and postpone the attack till 3 o'clock in the afternoon. No other reason for thus postponing the attack can be imagined. Fortunately, the reinforcement of the enemy did not arrive until after the capture of Baum—and, still more fortunately, Warner could not bring up his regiment in season for the first action, but brought it up fresh, just in time to meet the reinforcement of the enemy, and insure a victory.

On the receipt of Thompson's History of Vermont, I read it attentively, and found that the author had compiled it with great care, and that it was more free from errors than such works usually are. But from my own recollection, I discovered a few errors, which I pointed out in a letter to Mr. Thompson, that he might be enabled to correct them in a second edition of his work, which I presumed would be called for. The following is an extract from his answer :

“I am much obliged by your remarks, respecting the battles of Hubbardton and Bennington, and also the mob to stop the

sitting of the court at Windsor. They will enable me to make some corrections, should I ever print a new edition of my work. Is it not probable that Warner was with Stark up to the morning of the 16th, or day of the battle, and, that in consequence of the non-arrival of his regiment, he went back to hasten them on, and that the first battle was fought before his return? Such a supposition seems to reconcile all statements."

I have not been able to ascertain whether Warner was with Gates at the capture of Burgoyne, but from the following letter from Gates to the President of the Council of Massachusetts, it is probable that Warner's regiment constituted a part of his force.

ALBANY, 25th Nov., 1777.

DEAR SIR:

This letter will be presented to the Hon. Council, by Colonel Seth Warner, an officer of merit. His business at Boston, is to solicit your Hon. Board to give orders for a supply of clothing, for the regiment under his command. Having experienced the good behavior of this corps during the summer campaign, I cannot but recommend them to your good offices, for the supply they so much want, and the more especially,

as I have in view a service of much importance, in which Col. Warner's regiment will be very actively concerned.

I am sir, with respect, your most
humble and obedient servant,
HORATIO GATES.

It is very certain, that after this, Warner was able to perform but very little active service. His constitution naturally strong and vigorous gave way under the fatigues and hardships which he endured in the service, particularly in his winter campaign in Canada. It has been seen that in the year 1776, Congress gave Warner the command of a regiment with the rank of Lieut. Colonel, and appointed Samuel Safford Major. They held the same rank at the time of Bennington battle, but some time after this and before the 10th of November following, probably soon after the battle, Warner was promoted to the rank of Colonel, Safford to the rank of Lieutenant Colonel, and Captain Gideon Brownson, to the rank of Major. In a return of Warner's regiment, made on the 10th of November, 1777, Col. Warner was returned sick at Hoosic. He recovered from this sickness, but was never afterwards able to perform any active service, and, of course, received no further promotion. But

I find he was continued in the command of his regiment, residing with his family in Bennington, to the end of the year 1781. In the mean time, the number of men in the regiment had been greatly reduced by the losses sustained in several hard fought actions, and by the capture of Fort George, by the enemy, in October, 1780, which was garrisoned by about 70 of Warner's regiment, under the command of John Chipman, one of his captains. An account of which is given in the following letter from Warner to Washington.

BENNINGTON, October 30, 1780.

SIR:

Your Excellency has doubtless been informed of the misfortunes which have befallen our troops on the northern frontier, especially the regiment which I have the honor to command, stationed at Fort George. I will not trouble your Excellency with all the circumstances attending the surrender of the fort, but refer you to the brave Captain Moulton, for more particular information. On the morning of the 3d instant, a body of about one thousand of the enemy appeared before Fort Ann, and demanded a surrender of the fort, and Captain Sherwood, who commanded, was compelled to surrend-

er it, himself and 50 men becoming prisoners of war. The enemy then took their course through Kingsbury and Queensbury, burning and destroying all before them. Fort George was then commanded by Capt. John Chipman, with between 60 and 70 rank and file, of my regiment, the remainder of the regiment being out on scouts about Lake George. The garrison having been two days without provisions, Capt. Chipman sent an express to Fort Edward for supplies, who, about four miles from Fort George, was fired upon by a party of the enemy, consisting, as he supposed, of about thirty or forty British, Indians and Tories, but he made his escape and gave Capt. Chipman the first information he received, that there was an enemy in the vicinity of Lake George, and judging that the number of the enemy did not exceed thirty or forty, and being anxious to avenge the losses which the regiment had sustained during the season, he immediately dispatched Capt. Sill with 50 men in pursuit of the enemy. He met the enemy but a short distance from the fort, and made a spirited attack on their front, which gave way, but he soon found himself completely surrounded by a numerous body of the enemy consisting of British Indians, and Tories.. In this situation they

fought nobly, until Capt. Sill, Ensign Eno, and sixteen non-commissioned officers and privates, were killed ; Lieut. Payne and Ensign Lighthall were wounded and taken prisoners, with the rest of the detachment except Ensign Grant and about 15 privates who fought their way through the enemy's lines, and made their escape. The enemy having thus overcome Capt. Sill and his party, immediately proceeded to invest the fort and sent in a flag demanding its surrender, Capt. Chipman, considering it impossible with so small a number of men, to defend the post against such an overwhelming force, surrendered by capitulation. The articles of capitulation are enclosed and are honorable to the commander of the fort.

The commanding officer at Fort Edward, at eleven o'clock in the evening of the 9th inst., by an express from Fort Ann, received information of the presence of the enemy. Had he given this information to Capt. Chipman he would not have sent out the detachment from the fort, and might have saved it.

Your Excellency's most obedient servant,
SETH WARNER.

On the first of January, 1781, the regiment was reduced, under a resolution of Congress, and some of the officers were

transferred to other regiments. Capt. Chipman was promoted to the rank of Major, in the New York line.

In the year 1782, Warner removed to Roxbury, in Connecticut, his native town, in hopes of obtaining relief from the painful disorders under which he was suffering, but his hopes proved fallacious, and he gradually wasted away till the 26th of December, when an end was put to all his sufferings.

Seth Warner was rising six feet in height, erect and well-proportioned, his countenance, attitude and movements indicative of great strength and vigor of body and mind, of resolution, firmness and self-possession. His commanding appearance, and known character, undoubtedly saved him from many an attack by the Yorkers. In one instance only, during the long controversy with New York, did any one attempt to arrest him single-handed. An officer from New York attempted to arrest him by force, and Warner considering it an act of lawless violence, attacked, wounded and disarmed him, but, with the spirit of a soldier, saved his life, and permitted him to return to New York. He pursued his public and his private business among the settlers in the different towns, with apparent unconcern, and yet, he was always prepared for defence.

He seemed to be entirely unconscious of fear, and, in one instance, it was said that this trait in his character was the cause of his meeting danger, which he ought to have avoided. After his defeat at Hubbardton, it was said that he might have been at Castleton before the enemy reached Hubbardton, and thus have avoided the unequal conflict, and saved the lives of many brave men, but it was soon ascertained that there was not any foundation for this—that the blame was wholly with St. Clair, Warner having remained at Hubbardton in obedience to his orders.

When Warner arrived at Hubbardton, St. Clair gave him the command of the rear guard, with orders to remain there, until those who had been left behind should come up, and then follow the main army, keeping about a mile and a half in the rear. That evening St. Clair, with the main army, marched to Castleton, leaving Warner with his rear guard, not one mile and a half, but six miles in his rear. This gross error of St. Clair was the sole cause of the defeat at Hubbardton. Instead of this, the enemy would have been defeated, if St. Clair had kept the main army within a mile and a half, his own prescribed distance, in advance of his rear guard. This error of St. Clair

has been overlooked, while he has been severely censured, not for evacuating Ticonderoga, but for not showing more fight—for not making some resistance somewhere, and for not sending a detachment from Castleton to succor Warner, when he knew by the firing that he was attacked by the enemy.

The first charge is too general to require or even admit of examination, and the second charge is clearly unfounded. Warner having no works of defence, by which to protract the contest, it was as obvious then as it is now, that a reinforcement could not reach him, before he had repulsed the enemy, in which case he would need no succor, or, been defeated, as he unfortunately was, in which case, by sending a reinforcement, St. Clair would only have exposed his army to be cut off in detail, committing a more fatal error, than the first.

Warner was distinguished for his cool courage, and perfect self-possession, on all occasions. But in one instance, was he ever known to be agitated for a moment, or deprived of self-possession, by any disastrous occurrence, however sudden and unexpected. In the battle at Hubbardton, Francis' regiment gave way, owing, as it afterwards appeared, to the loss of their Colonel. War-

ner had repulsed the enemy, who had rallied and renewed the charge, but were again brought to a stand by a deadly fire from his Green Mountain Boys. At this anxious and exciting moment, Warner saw Francis' regiment retreating, and the battle lost. This was too much, even for the nerve of Warner. He dropped down upon a log by which he stood, and poured out a torrent of execrations upon the flying troops; but he instantly rose and, in a most collected manner, ordered his regiment to Manchester.

Warner was for so long a time and so ardently engaged in the defence of the New Hampshire Grants, and in the defence of his country in the Revolutionary War, that his attention seems to have been wholly diverted from his own private concerns. He had been so long engaged in maintaining the *rights* of property, that a disposition to acquire it seemed to be wholly eradicated. And the moderate property which he inherited, he spent in the service of his country, and left his family destitute.

The proprietors of several townships gave him tracts of land, of considerable value, as a reward for his services in defence of the New Hampshire Grants, but the greater part, if not all of them, were sold for taxes, and

his heirs never received any considerable benefit from them.

In October, 1787, the Legislature of Vermont generously granted to his heirs 2000 acres of land, in the north west part of the county of Essex. It was then supposed that this land would become valuable by a settlement of that part of the county, but when that section of the State was explored, this tract of land was found to be of little or no value, and it yet remains unsettled.

Obituary notices of Warner, were published soon after his decease, and by the following extracts from them, the reader will learn from his cotemporaries themselves, and in their own language, how they loved and respected him :

“This gentleman, from an early period of his life, took a very decided part in the defence of the rights of man, and rendered essential services in the exalted command which he held over the Green Mountain Boys, in the defence of the New Hampshire Grants. He also distinguished himself, and maintained the character of a brave officer, in his command of his regiment during the late war. His ability in command, few exceeded, his dexterity and success were uncommon. His natural disposition was kind, generous, and humane. His remains were in-

tered with the honors of War, which were justly due to his merits. An immense concourse of people attended his funeral, and the whole was performed with uncommon decency and affection. He has left an amiable consort, and three children, to mourn their irreparable loss."

Since the foregoing was copied for the press, I have received the following, from one of Warner's cotemporaries, who still survives in his native town of Roxbury. Col. Warner struggled long with complicated and distressing maladies, which he bore with uncommon fortitude and resignation, until deprived of his reason, after which he was constantly fighting his battles over again, not in imagination only, but by the exertion of a preternatural physical strength, so that it required two or three to take charge of him. There was a guard of about 30 men kept at his house, from the time of his decease, the 26th of December, to the 29th, when his funeral was attended, and a sermon preached by the Rev. Thomas Canfield, from Samuel 1. 27. "How are the Mighty fallen, and the weapons of War perished.

The following inscription is on the monument erected over his grave :

In memory of
COL. SETH WARNER, ESQ.,
Who departed this life, December 26, A. D. 1784,
In the 42d year of his age.

Triumphant leader at our armies' head,
Whose martial glory struck a panic dread,
Thy warlike deeds engraven on this stone
Tell future ages what a hero's done.
Full sixteen battles he did fight,
For to procure his country's right.
Oh ! this brave-hero, he did fall
By death, who ever conquers all.

When this you see, remember me.

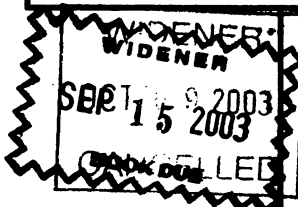


683



3 2044 010 481

THE BORROWER WILL BE CHARGED
AN OVERDUE FEE IF THIS BOOK IS
NOT RETURNED TO THE LIBRARY ON
OR BEFORE THE LAST DATE STAMPED
BELOW. NON-RECEIPT OF OVERDUE
NOTICES DOES NOT EXEMPT THE
BORROWER FROM OVERDUE FEES.



CANCELLED
SEP 15 2003
MAY 30 2003

